

August 21, 2008

VIA ELECTRONIC MAIL

Ms Maureen Meredith  
Neighborhood Planning & Zoning  
City of Austin  
505 Barton Springs  
Austin, Texas 78704

**Re: *Support for the SF-1 zoning classification, as recommended by the Planning Commission, for tracts of real property located at 8901 S.H. 71 West and 7219 Mowinkle Drive, Austin, Travis County, Texas***

Dear Ms. Meredith

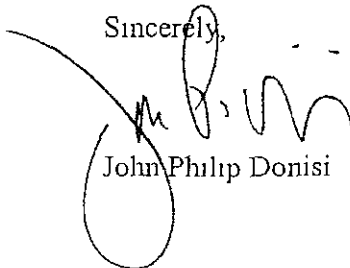
We represent PromiseLand Church West (1301 Capital of Texas Hwy , Suite A-308, Austin, Texas 78746) (the "Owner"), owner of an approximately 53 28-acre tract located at 8901 S.H. 71 West (TCAD Tax Parcel ID No 01014803010000) and an approximately 14 94-acre tract located at 7219 Mowinkle Drive (TCAD Tax Parcel ID No 04045001190000) (the "Property").

This letter constitutes Owner's support for the SF-1 zoning recommendation and the Single Family/Rural Residential FLUM recommendation for the Property made by the Planning Commission on July 8, 2008 pursuant to Zoning Case No C14-2008-0125 – West Oak Hill Neighborhood Planning Area Rezoning. We also believe this recommendation is consistent with that made by representatives of the OHAN neighborhood association planning group.

It is the intent of the Owner of the Property to develop this tract with a church and a parsonage, and related uses. A religious use is permitted in either SF-1 or RR zoning, and as such, is consistent with the recommended zoning and FLUM.

Please let me know if we may provide you with any additional information.

Sincerely,



John Philip Donisi

AUSTIN | SAN ANTONIO

D&G  

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SW

cc Mr Buddy Patten (via mail)  
11921 North Mopac Expressway  
Suite 110  
Austin, TX 78759

# 106 PH

**Meredith, Maureen**

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**From:** Ruth [REDACTED]  
**Sent:** Tuesday, August 19, 2008 2:49 PM  
**To:** Meredith, Maureen  
**Subject:** Zoning of Waters Property

Ms. Meredith,

On Thursday, August 21, 2008, the City Council will be addressing agenda item 70 concerning the re-zoning of the Waters property in Oak Hill.

A crucial zoning point is the SF6 spot zoning. The city recommendation is of SF1. I am concerned about increased traffic, safety and setbacks concerns to be addressed in the platting and site plan. The SF6 does not allow input from its neighbors. The development of this site directly affects the area around this acreage.

There is also a flag lot being used by the Waters and one other family. This is only 40 feet wide and lies between four other homes and two subdivisions. The flag lot should not be allowed to be developed into a road. If the Waters are not willing to sell this flag lot to neighboring homes, it should be platted as a green belt.

This SF6 development will also present a safety issue for The Estates of Shadowridge. We have approximately 60 children living in the neighborhood. This does not include children who are visiting and playing at these homes. There is only one entrance/exit to our neighborhood. The neighborhood was not designed to be a collector street.

I also have environmental concerns. The Waters' property is in the Barton Springs Recharge zone. Dense development of the Waters' tract will directly affect the residents who are downhill from the Waters. It could possibly cause additional water runoff and flooding of these properties. Homeowners whose land abuts the Waters property are already dealing with high water in their back yards when we have heavy rains.

Additionally, I am concerned about the Oak Hill Planning Contact Team. Mrs. Waters was a member and proposed her own zoning to the other members of this group. Other property owners were not given the same opportunity. The OHPCT did not ask for public input and we did not always receive advance notice of their meetings. The same group recommended SF1 for the other lots in the neighborhood.

Part of the Planning Commission decision was based on Mrs. Waters being a long-term landowner. She moved onto her property in 1995. Our subdivision was platted in 1988 and roads were cut built in 1996. Therefore, we are in similar positions. The development of The Estates of Shadowridge was not a surprise to Ms. Waters. She bought her property knowing that she would be surrounded by single family housing on a minimum of 1/2 acre lots.

The zoning of SF1 will be in compliance with other homes in the area and increase, not decrease our property values. The SF1 will also maintain the tax base in our neighborhood for future city planning.

I am confident that you will reconsider SF1 zoning in the Waters zoning request. The reason we have zoning is to protect the majority of the homeowners.

Thank you for listening to my concerns. I know that you will give them an honest and open-minded review.

Ruth Felger  
The Estates of Shadowridge

8/25/2008

Ray N. Donley and Aileen M. Hooks  
8015 Dark Valley Cove  
Austin, TX 78737  
(512) 301-3231 - Home  
(512) 657-6583 - Cell

August 19, 2008

**VIA FACSIMILE TO 974-3212**  
**and EMAIL TO lee.leffingwell@ci.austin.tx.us**  
Austin City Councilmember Lee Leffingwell

**VIA FACSIMILE TO 974-1884**  
**and EMAIL TO brewster.mccracken@ci.austin.tx.us**  
Austin City Councilmember Brewster McCracken

**VIA FACSIMILE TO 974-1888**  
**and EMAIL TO randi.shade@ci.austin.tx.us**  
Austin City Councilmember Randi Shade

**VIA FACSIMILE TO 974-1886**  
**and EMAIL TO laura.morrison@ci.austin.tx.us**  
Austin City Councilmember Laura Morrison

**VIA FACSIMILE TO 974-1890**  
**and EMAIL TO sheryl.cole@ci.austin.tx.us**  
Austin City Councilmember Sheryl Cole

In Re: Oak Hill Combined Neighborhood Plan, West Oak Hill Contested Tracts: **6800 Waters Way**

Dear Councilmembers:

My wife, Aileen Hooks, and I own 8015 Dark Valley Cove, TCAD#510978 Ron and Jackie Waters, who own the above-referenced property, are our neighbors. It is our understanding that the City Council will meet this Thursday, August 21 regarding proposed zoning for the above-referenced property, as well as our property. I have already sent you a letter regarding the proposed zoning for our property.

Austin City Council  
August 19, 2008  
Page 2

The purpose of this letter is to support the zoning recommendation for the Waters' property made by the Planning Contact Team and by the Waters. It is my understanding that the Planning Commission approved the SF6-CO zoning on July 8, 2008. We object to and ask the City Council **not** to accept the recommendations for the above-referenced property proposed by our neighbors in the Shadow Ridge and Loma Vista subdivisions.

Thank you for your consideration. Please feel free to call me with any questions.

Yours very truly,

Ray N. Donley

RD/ch

Loayza  
Pg 1 of 5**Meredith, Maureen**

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**From:** Loayza, Katherine [REDACTED]  
**Sent:** Tuesday, August 12, 2008 11:25 AM  
**To:** Meredith, Maureen, Guernsey, Greg  
**Cc:** Lynn and Martin Leifker  
**Subject:** West Oak Hill Neighborhood Plan/Rezoning  
**Attachments:** Leifker property exhibits pdf

Maureen/Greg,

My clients, Lynn and Martin Leifker, are out of town this week, but I wanted to make sure that you still have for your records their opposition to the Waters tract rezoning to SF-6. The Leifker's are not opposed to the SF-1 zoning recommended by staff. However, because of their unique situation with a private access easement on their property for the benefit of the Waters and the Donley/Hooks tracts, they request that staff add a conditional overlay to the rezoning. No other property in the West Oak Hill area has this unique encumbrance on their lot.

Suggested language being: "prohibit access through Lot 10, Block B of the amended plat of Shadowridge Crossing Section 9, (their lot) recorded in Vol. 102, page 271-272, should the Waters or the Donley/Hooks properties be subdivided into more than one lot, or

if the Waters tract, is zoned SF-6 and no subdivision is required, then apply a conditional overlay that states if the property is developed for more than one residential dwelling, then access is prohibited thru Lot 10, Block B and also reference the Donley/Hooks tract prohibiting access through Lot 10 if developed/subdivided into more than one residential dwelling.

The need for the overlay is that Ms. Waters has indicated her intent to use this private access easement for future development on her property. I can't imagine the City would allow this to occur, but in any event, it would be extremely helpful and give the Leifker's peace of mind, if the zoning of these properties clearly prohibited use of the access easement for more than the intended use of one residential dwelling per lot on the Waters and Donley/Hooks tracts.

I am attaching some exhibits that the Leifker's prepared in anticipation of speaking at last week's public hearing that should help describe the situation, and a cover letter from the Leifker's which indicates their concerns.

I appreciate your assistance in considering this conditional overlay. Please let me know if you need any additional information.

<<Leifker property exhibits pdf>>

Katherine P. Loayza  
Land Use Consultant  
Jackson Walker LLP  
100 Congress Avenue, Suite 1100  
Austin, Texas 78701  
(512) 236-2259  
(512) 691-4412 (fax)  
[mailto:\[REDACTED\]](mailto:[REDACTED])

8/26/2008

Council Member

RE: Council Agenda Items 86 & 87, Tract L (The Waters Tract)

**Council Member,**

We have a private access easement through our property (6733 Hot Springs Drive) dating back about 60 years. Although the two households it serves (Waters and Donley/Hooks) are no longer land-locked and now have public right-of-way access through other parts of their properties, we have not sued to have them vacate the private easement because of the legal expense involved.

The private easement is written to support only the two households. Mrs. Waters told us that a condo development she wants to build on her property would have one owner (the HOA), and therefore would count as one household and would be eligible to send its traffic through the private easement on our land. Her attorney, Jeff Howard, conservatively estimates that a 30-unit condo development would mean an additional 300 or more daily car trips. We do not want this traffic going through our property for the following reasons:

- 1) the noise and pollution of 300 additional cars passing parallel to our backyard fence and 10 feet from our master bedroom;
- 2) the risk to our children's and our safety if someone crashes through our fence or into our house or yard;
- 3) our exposure to personal liability if someone has a wreck on our property;
- 4) our exposure to repair expenses if the increased traffic damages the concrete driveway.

**We request that the Waters be given a conditional overlay to their zoning that will prohibit access from a development through our easement.**

Thank you for your consideration.

Martin and Lynn Leifker  
6733 Hot Springs Drive  
Austin, TX 78749

P.S. Please see the attached visual aids showing our home and the Waters tract.

LEDGER  
L1267  
FILE NUMBER



AILEEN M HOOKS &  
ROY N. DONLEY  
VOL 12604 PG 984

MTV INVESTMENTS, L.P.  
V. 11835 P 688  
(PROPOSED SHADOWRIDGE  
CROSSING SECTION 12)

LEGEND

—	WOOD FENCE
—	A/C UNIT
—	ELECTRIC BOX
—	GAS METER
—	WATER METER
—	TELE. PED.
—	C.A.T.V. PED.
—	CONC. ELEC. M/M
—	ELEC. METER
—	IRON ROD FND.
—	IRON ROD SET
—	"X" SET



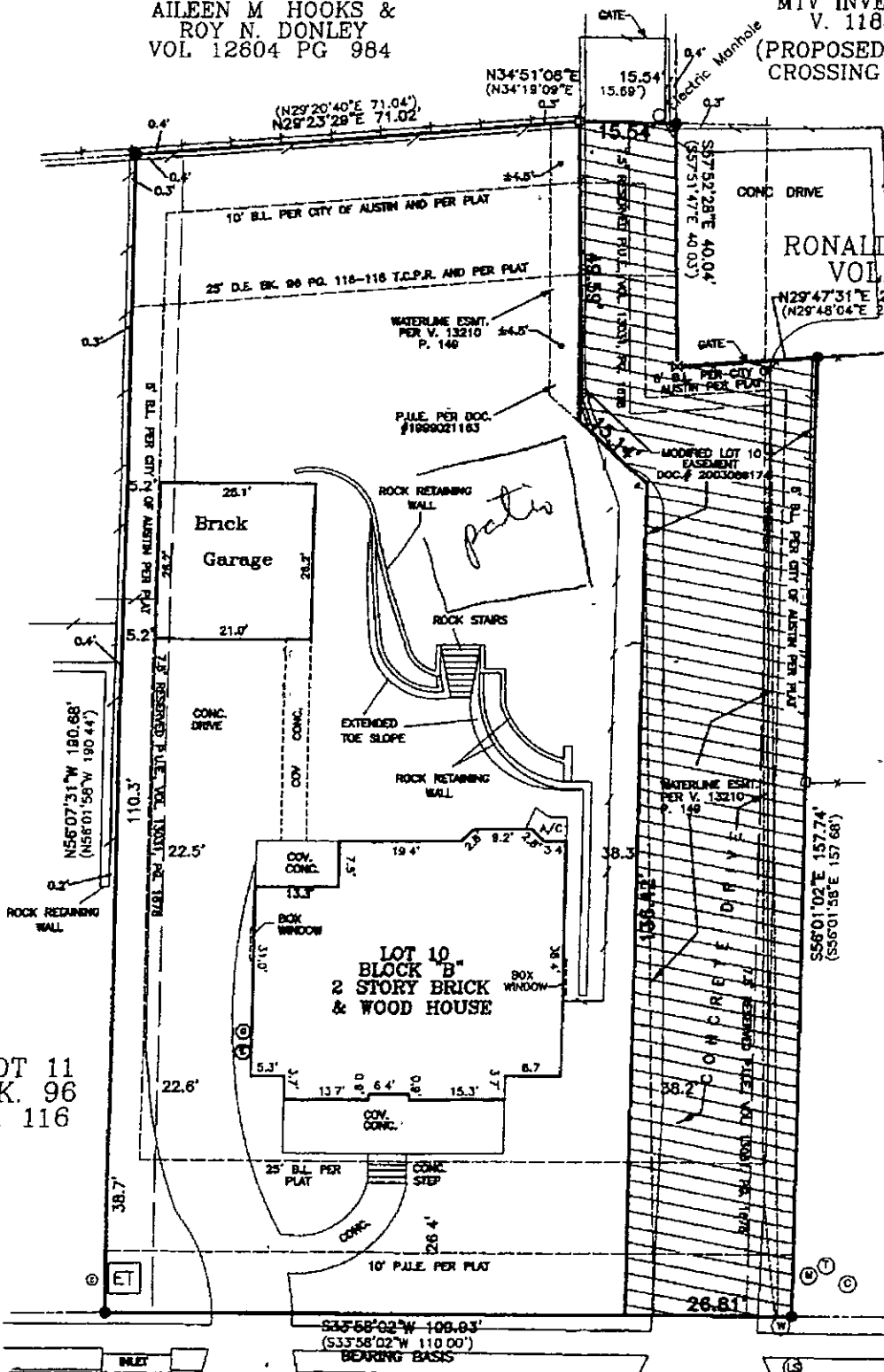
RONALD S. & J. B. WATERS  
VOL. 12534 PG. 3404

**SURVEYOR'S NOTES**

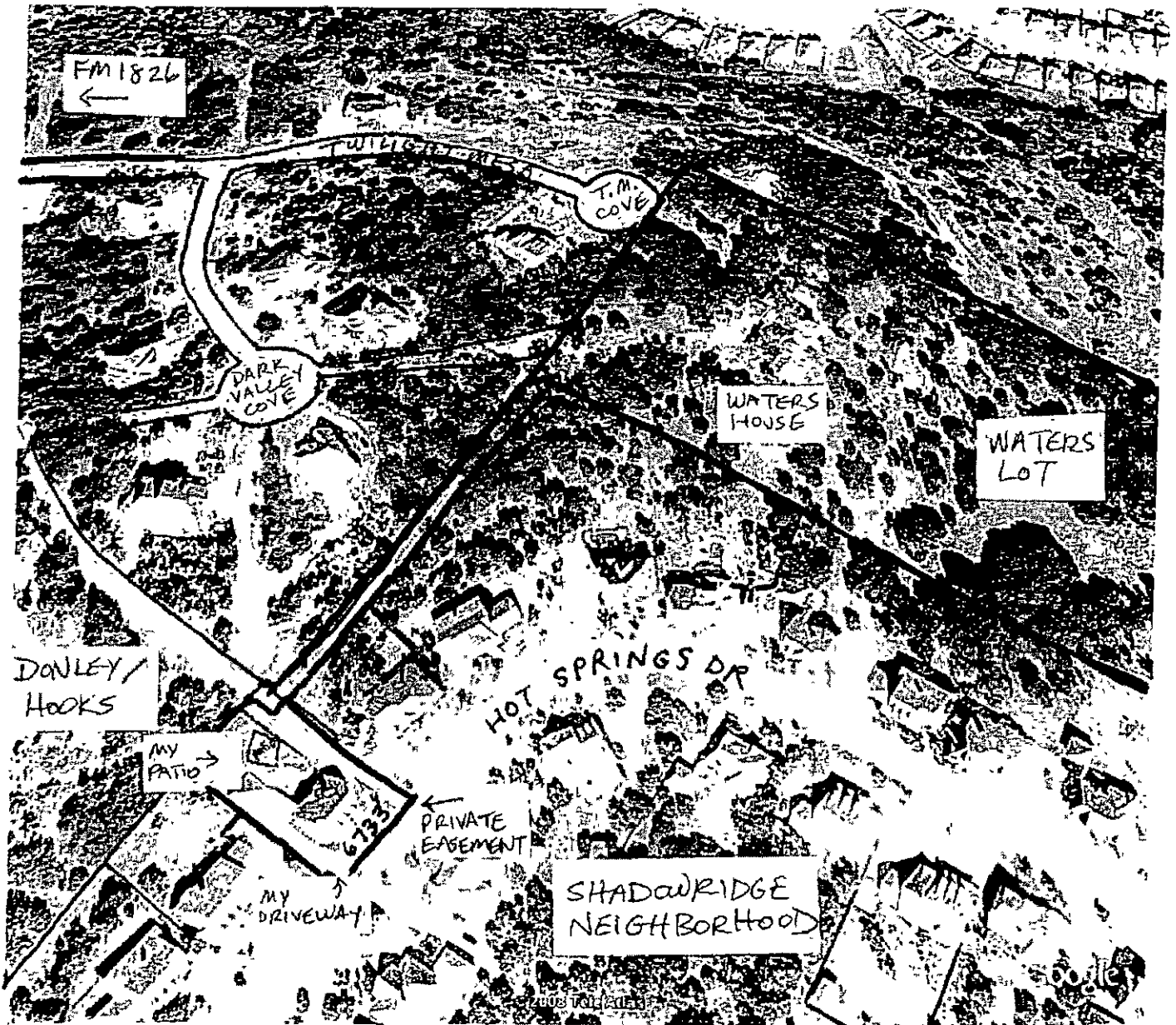
( ) DENOTES RECORD INFORMATION  
ESMT. RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY STEWART TITLE GUARANTY CO. PER COMMITMENT G.F.# 7110140, SCHEDULE "B", PARAGRAPH 10.  
ACCORDING TO STEWART TITLE GUARANTY CO.'S TITLE COMMITMENT LOT 10 IS SUBJECT TO BUILDING LINES, ESMT. RIGHTS AND RESTRICTIONS AS STATED IN:  
VOL. 12004, PG. 27; VOL. 13031, PG. 1678, VOL. 102, PG. 271-272; VOL. 96, PG. 116-116.  
A PORTION OF THE 30' ACCESS ESMT. IN VOL. 1822, PG. 119; VOL. 3431, PG. 2133; VOL. 12004, PG. 17; AND FURTHER MODIFIED BY DOC.# 2003115906, 2003089174, AND 2004082883, AND PARTIALLY VACATED IN SAO DOC.# 2001187090.  
LOT 10 IS SUBJ. TO AN ESMT. UPON, ACROSS, OVER AND UNDER ALL OF THE PROPERTY FOR INGRESS AND EGRESS IN CONNECTION WITH INSTALLING, REPLACING, REPAIRING AND MAINTAINING ALL UTILITIES, INCLUDING, BUT NOT LIMITED TO, WATER, GAS, TELEPHONES, ELECTRICITY, AND APPURTENANCES THEREOF AS DESCRIBED IN RESTRICTIONS OF RECORD IN VOL. 13031, PG. 1678.  
LOT 10 IS SUBJECT TO A INSTALLATION AND MAINTENANCE ESMT. AS STATED ON THE RECORDED PLAT.  
LOT 10 IS SUBJECT TO THE ESMT. RIGHTS AS STATED IN DOC.# 1089021163.  
ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

LOT 9  
BK. 96  
P. 116

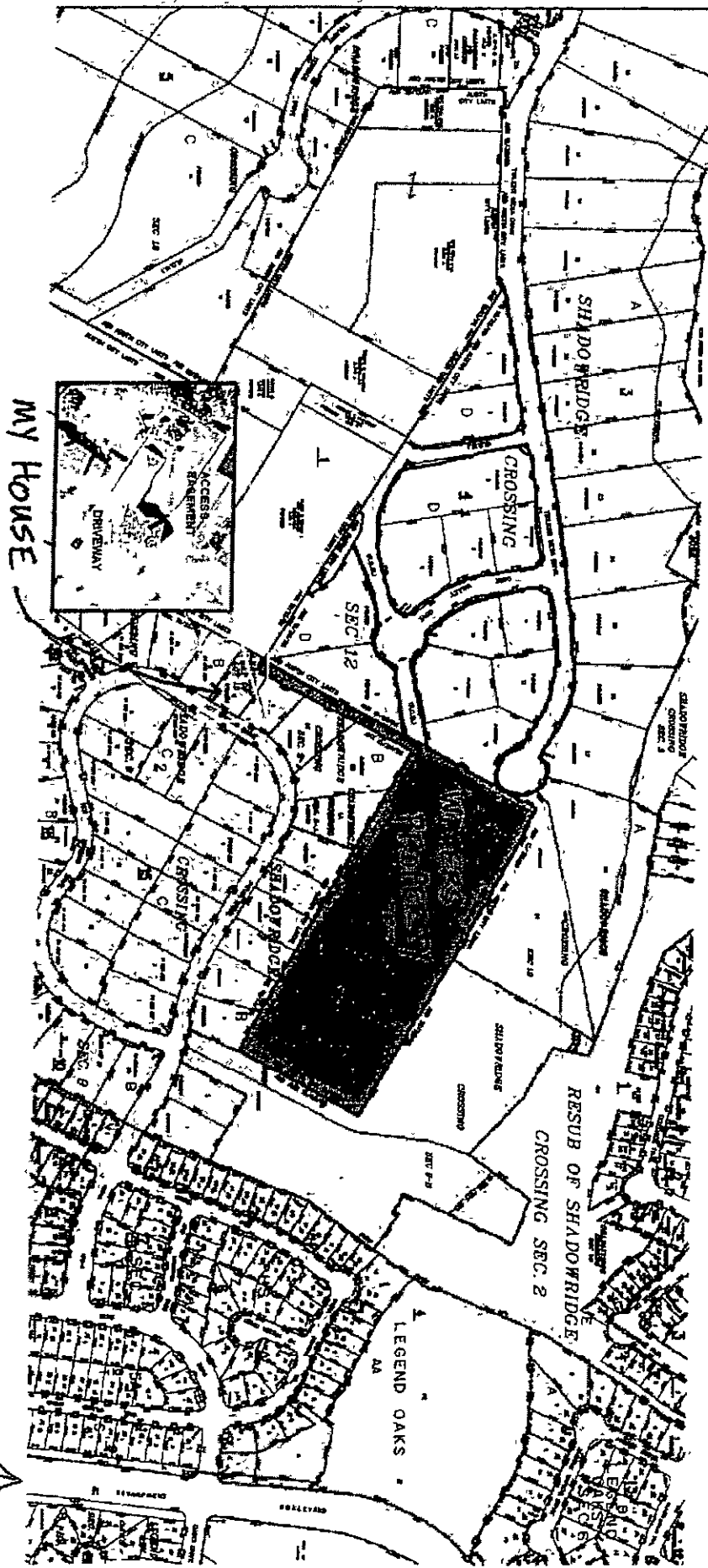
LOT 11  
BK. 96  
P. 116







FM 1826  
↑



Escarpment  
Blvd  
↑

William  
Cannon  
↑

## **Meredith, Maureen**

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**From:** John McCulloch & Lynne Fahlquist [mailto:johnmcculloch@austin.rr.com]  
**Sent:** Thursday, August 21, 2008 8 22 AM  
**To:** Meredith, Maureen, Connect, Austin City Connection  
**Cc:** Oak Hill NPCT, Perkins, Rick, Lynne & John  
**Subject:** Comment to City Council about the Oak Hill Combined Neighborhood Plan

Dear City Council Members and Maureen Meredith,

Although the City of Austin Neighborhood Planning and Zoning Department solicited and collected information during the Oak Hill Combined Neighborhood Planning Area process about desires for civic uses such as community centers, schools, parks, and open space during the Oak Hill Neighborhood Planning process, I am told that the City cannot recommend such uses on specific parcels of land in the Oak Hill Combined Neighborhood Planning Area Future Land Use Map (OHCNPA FLUM)

This information is captured in the text of the plan, but is not depicted in the resulting zoning map and FLUM. Since the zoning map and FLUM are important and visual representations of the neighborhood planning process outcome, then I suggest that a written disclaimer be added to the OHCNPA FLUM and zoning map that states something like:

"Although public spaces such as parks, open space, schools, and community centers are very much desired and underrepresented in the OHCNP area, these public uses cannot be depicted on this map because of private property rights concerns. Such public spaces become identified as land is developed or redeveloped."

I hope that you will take this suggestion under consideration as you deliberate the specifics of the Oak Hill Combined Neighborhood Plan.

Thank you,

Lynne Fahlquist

Oak Hill Combined Neighborhood Planning Area Resident (and neighborhood planning participant)

CLARK, THOMAS & WINTERS  
A PROFESSIONAL CORPORATION

TELEPHONE (512) 472-8800

POST OFFICE BOX 1148  
AUSTIN, TEXAS 78767

FAX (512) 474-1129

300 WEST 6<sup>TH</sup> STREET, 15<sup>TH</sup> FLOOR  
AUSTIN TEXAS 78701

August 7, 2008

Kevin M. Flahive  
(512) 495-8849  
[REDACTED]

**VIA HAND DELIVERY & E-MAIL**

Ms. Maureen Meredith  
Principal Planner  
Neighborhood Planning and Zoning Department  
City of Austin,  
505 Barton Springs Road, 5th Floor  
Austin, TX 78704

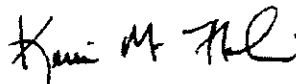
RE: Notice of Withdrawal of Tracts from the Oak Hill Combined Neighborhood Plan

Dear Ms. Meredith,

I am writing to you on behalf of our clients, Buffalo Equities, Ltd., owner of the five tracts of land described in the attached Exhibit A, S-J AT THE Y, J.V., owner of the tract of land described in the attached Exhibit B, and OAK HILL AT THE Y, J.V., owner of the tract of land described in the attached Exhibit C, to provide you with written notice of the withdrawal of these seven tracts of land from the Oak Hill Combined Neighborhood Plan currently pending before the City of Austin City Council (NP-2008-0025). A location map of these tracts is attached as Exhibit D, for your reference.

Should you have any questions regarding this notice or the tracts of land referenced herein, please do not hesitate to contact me.

Sincerely,



Kevin M. Flahive

CC (via e-mail): Mayor Will Wynn  
Mayor Pro Tem Brewster McCracken  
Council Member Lee Leffingwell  
Council Member Mike Martinez  
Council Member Sheryl Cole  
Council Member Randi Shade  
Council Member Laura Morrison  
Mr. Jerry Rusthoven

## **West Park PUD and Additional Tracts to be Added Pursuant to CD-2008-0007**

1. 119.814 Acre Tract - metes and bounds attached
2. 6 Acre Tract - metes and bounds attached
3. Lot One (1), Block "A", PSI Retail, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 97, Page(s) 153-154 of the Plat Records of Travis County, Texas.
4. Lot One (1), Haskell Subdivision Section Two, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 85, Page 28A of the Plat Records of Travis County, Texas.
5. Lot Two (2), Haskell Subdivision Section Two, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 85, Page 28A of the Plat Records of Travis County, Texas.

**EXHIBIT  
"A"**



STATE OF TEXAS

COUNTY OF TRAVIS

PAGE 1 OF 4

FIELDNOTE DESCRIPTION for 119.814 acres of land situated in the Jesse Williams Survey No. 62 in Travis County, Texas, and being all those certain tracts of land called to contain 114.465 acres of land and 5.37 acres of land described in a deed dated November 2, 1993 to Paratus / Harken-West Park Ltd., of record in Volume 12055, Page 1257, Real Property Records of said county. Said 119.814 acres of land surveyed by URBAN DESIGN GROUP on August 7, 1996 and is more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 iron rod found (record deed calls for a steel pin) in the Northerly line of U. S. Highway 290 West, a variable width right of way, at the Southeast corner of Lot A, Haskell Subdivision, dated April 5, 1976, of record in Book 74, Page 40, Plat records of said county, same being a Southwest corner of said 114.465 acre tract of land and of Lot 177 of West Park, Section One, a subdivision dated April 6, 1994, of record in Book 93, Page 50, Plat Records of said county, same being a Southwest corner of this tract of land;

THENCE with the common line between said Lot A of the Haskell Subdivision and said Lot 177 of said West Park Subdivision and being a Westerly line of this tract of land, North 28 deg. 35' 02" East for a distance of 109.02 feet (record deed calls for North 28 deg. 34' East a distance of 109.02 feet) to a 1/2 inch iron rod found (record deed calls for a steel pin) at the Northeast corner of said Lot A of the Haskell Subdivision, same being a corner of said Lot 177 of the West Park Subdivision, said 114.465 acre tract and this tract of land;

THENCE with the Northeasterly line of said Lot A of the Haskell Subdivision, same being the Northeasterly line of Lot 1 and Lot 2 of the Haskell Subdivision, a subdivision dated October 22, 1983, of record in Book 83, Page 28A, Plat Records of said county, the remaining portion of that certain tract of land called to contain 116.95 acres and described in a deed dated May 15, 1956, to Amanda Hudson, et al, of record in Volume 1696, Page 77, Deed Records of said county, that certain tract of land called to contain 3.07 acres and described in a deed dated July 19, 1957, to Elry A. Hudson and wife, Barbara Hudson, of record in Volume 1828, Page 550, Deed Records of said county; that certain tract of land called to contain 1.89 acres and described in a deed dated October 2, 1987, to Carolyn Sue Jackson, of record in Volume 11071, Page 516, Deed Records of said county, same being the Southwesterly line of said 114.465 acre tract and this tract of land and in part the Southwesterly line of Lots 177, 151, 150 and 149 of said West Park Subdivision, the following three courses:

1. North 60 deg. 22' 47" West at 250.00 feet passing the Southwesterly corner of Lot 149 of said West Park Subdivision and continuing for a total distance of 669.43 feet (record call is North 60 deg. 25' West a distance of 668.45 feet) to a 1/2 inch iron pipe found (record deed calls for a steel pipe) for an angle point;
2. continuing along or near an old barbed wire fence, North 59 deg. 38' 22" West for a distance of 551.83 feet (record call is North 59 deg. 41' West a distance of 551.83 feet) to a 3/4 inch iron pipe found (record deed calls for a steel pipe) at an angle point;

Civil Engineering - Planning - Surveying  
 REAL PROPERTY RECORDS  
 TRAVIS COUNTY, TEXAS  
 Main Avenue • San Antonio Texas 78204 • 210-226-9271

12750 1043

119.814 Acres  
August 7, 1996  
Page 2 of 4

3. continuing along or near an old barbed wire fence, North 59 deg. 32' 09" West for a distance of 546.35 feet (record call is North 59 deg. 35' West a distance of 546.67 feet) to a 1/2 inch iron pipe found (record call is steel pipe) at the most Southerly corner of Lot 21 of Block S of Windmill Run, Section Four A, a subdivision dated April 4, 1983, of record in Book 83, Pages 97 A-C, Plat Records of said county and being in the Easterly line of Lot 20, Block S of said Windmill Run, same being the most Westerly corner of said 114.465 acre tract and this tract of land,

THENCE with the Southeasterly line of said Windmill Run, Section Four A, same being a Northwesterly line of said 114.465 acre tract, in part said West Park, Section One and this tract of land the following five courses:

1. along or near the remnants of an old barbed wire fence, North 28 deg. 20' 07" East for a distance of 233.68 feet (record call is North 28 deg. 17' East a distance of 233.64 feet) to a 1/2 inch iron pipe found (record call is steel pipe) at an angle point;
2. along or near the remnants of an old barbed wire fence, North 29 deg. 12' 49" East for a distance of 76.16 feet (record call is North 28 deg. 50' East a distance of 77.56 feet) to a 1/2 inch iron pipe found (record call is steel pin) at an angle point;
3. along or near the remnants of an old barbed wire fence, North 28 deg. 18' 31" East for a distance of 553.61 feet (record call is North 28 deg. 17' East a distance of 552.31 feet) to a 1/2 inch iron pipe found (record call is steel pipe) at an angle point;
4. in part along or near a wood fence, North 29 deg. 00' 28" East for a distance of 572.34 feet (record call is North 28 deg. 56' East a distance of 572.22 feet) to a 1/2 inch iron pipe found (record call is steel pipe) at an angle point;
5. in part along or near a wood fence, North 30 deg. 16' 05" East for a distance of 785.54 feet (record call is North 30 deg. 14' East a distance of 785.41 feet) to a 3/4 inch iron pipe found (record call is steel pipe) in the Southwesterly line of Lot 13, Block A, of Scenic Brook West, Section Two, Phase Two, a subdivision dated June 23, 1971, of record in Book 54, Page 97, Plat Records of said county, same being the most Northerly corner of said 114.465 acre tract, Lot 179 of said West Park Subdivision, and this tract of land;

THENCE with the Southwesterly line of Block A of said Scenic Brook West, same being a Northeasterly line of said 114.465 acre tract, said Lot 179 and this tract of land and being in part along or near existing chain link, wood and wire fences and remnants of an old barbed wire fence the following three courses:

1. South 45 deg. 01' 25" East for a distance of 994.37 feet (deed call is South 45 deg. 05' East a distance of 994.40 feet) to a 1/2 inch iron rod found (deed call is steel pin) at an angle point in Lot 3 of said Block A, Scenic Brook West, same being an angle point in said 114.465 acre tract, said Lot 179 and this tract of land;
2. South 73 deg. 59' 09" East 1418.58 feet (deed call is South 74 deg. 00" East 1419.44' East a distance of 1419.44 feet) to a 1/2 inch iron pipe found (deed call is steel pipe) at an angle point;

119.814 Acres  
August 7, 1996  
Page 3 of 4

3. South 74 deg. 30' 17" East for a distance of 168.88 feet (deed call is South 74 deg. 32' East a distance of 168.66 feet) to a 1/2 inch iron pipe found (deed call is steel pipe) in a Northwesterly line of Block B of said Scenic Brook West Subdivision and being the most Easterly corner of said 114.465 acre tract, said Lot 179 of West Park Subdivision and this tract of land,

THENCE with a Northwesterly and Southwesterly line of said Block B of said Scenic Brook West Subdivision, same being a Southeasterly and Northeasterly line of said 114.465 acre tract, said Lot 179 of said West Park Subdivision and this tract of land and being along or near the remnants of an old barbed wire fence and in part along a wood fence the following two courses:

1. South 27 deg. 57' 29" West for a distance of 271.65 feet (deed call is South 27 deg. 55' West a distance of 271.65 feet) to a 1/2 inch iron pipe found (deed call is steel pipe) at the most Westerly corner of Lot 1 of said Block B of said Scenic Brook West Subdivision, same being a corner of said 114.465 acre tract, said Lot 179 of said West Park Subdivision and this tract of land;

2. South 70 deg. 56' 54" East for a distance of 7.29 feet (deed call is South 71 deg. 57' East a distance of 7.29 feet) to a 3/4 inch iron pipe found (deed call is steel pipe) at the most Northerly corner of Lot 1 of Angerman Subdivision, a subdivision dated April 26, 1979, of record in Book 77, Page 391-392, Plat Records of said county and being corner of said 114.465 acre tract, said Lot 179 of said West Park Subdivision and this tract of land;

THENCE with the Northwesterly line of said Lot 1 of said Angerman Subdivision the following three courses:

1. with a Southeasterly line of said 114.465 acre tract of land and said Lot 179 of said West Park Subdivision, South 29 deg. 44' 36" West for a distance of 410.73 feet (deed call is South 29 deg. 43' West a distance of 410.63 feet) to a 1/2 inch iron rod found (deed call is steel pin) at the most Easterly corner of said 5.37 acre tract of land and being a Southerly corner of said Lot 179 of said West Park Subdivision and said 114.465 acre tract and an angle point in this tract of land;

2. with the Southeasterly line of said 5.37 acre tract and this tract of land, South 29 deg. 43' 45" West for a distance of 197.25 feet (deed call is South 29 deg. 43' 00" West a distance of 197.47 feet) to a 1/2 inch iron rod found (deed does not call for monumentation) at an angle point;

3. continuing with the Southeasterly line of said 5.37 acre tract and this tract of land, South 29 deg. 38' 19" West for a distance of 808.29 feet (deed call is 29 deg. 37' 00" West a distance of 808.42 feet) to a 1/2 inch iron rod found (deed does not call for monumentation) at the most Southerly corner of said 5.37 acre tract of land and being a Southerly corner of this tract of land,

THENCE with the Southwesterly line of said 5.37 acre tract and this tract of land and crossing that certain tract of land called to contain 8.000 acres of land and described in a deed to Bank of the Hills of record in Volume 10710, Page 1416, Deed Records of said county the following two courses:



119.814 Acres  
August 7, 1996  
Page 4 of 4

1. North 63 deg. 02' 11" West for a distance of 156.83 feet (deed call is North 63 deg. 02' 11" West a distance of 157.17 feet) to a 1/2 inch iron rod found (deed does not call for monumentation) at an angle point;

2. North 45 deg. 27' 07" West for a distance of 77.63 feet (deed call is North 45 deg. 27' 07" West a distance of 77.63 feet) to a 1/2 inch iron rod found (deed does not call for monumentation) in the Northwestern line of said 8.000 acre tract, same being a Southeasterly line of said 114.465 acre tract and said West Park Subdivision and being the most Westerly corner of said 5.37 acre tract and a corner of this tract of land,

THENCE with the Northwestern line of said 8.000 acre tract, same being a Southeasterly line of said 114.465 acre tract and said West Park Subdivision and this tract of land, South 29 deg. 37' 00" West (Bearing Basis for this survey per Vol. 12055, Page 1257) for a distance of 565.00 feet to a 1/2 inch iron rod found in the above described right of way line of U.S. highway 290 West;

THENCE with the said right of way line, North 84 deg. 01' 25" West for a distance of 543.78 feet to the POINT OF BEGINNING and containing 119.814 acres of land within these metes and bounds. Note - There is a map of survey this date made to accompany this description.

Surveyed by

*R. P. Shelley*  
R. P. Shelley, Texas Reg. Professional Land Surveyor No. 4540  
URBAN DESIGN GROUP 417 South Main Ave. Suite 200, Austin, Texas 78704

Aug. 7, 1996  
Date Aug. 7, 1996  
(512) 226-9271



STATE OF TEXAS COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED in the field and in the true, stamped form by me, and was duly RECORDED, in the Volume and Page of the General RECORDS of Travis County, Texas, on

AUG 14 1996



COUNTY CLERK  
TRAVIS COUNTY, TEXAS

FILED

96 AUG 14 PM 4:10

DAKOTA C. C. FLOYD  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

RECORDER'S MEMORANDUM: At the time of recording this instrument was found to be inadequate for the best photographic reproduction, because of illegibility, omissions or photo copy, discarded paper etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

12750 1046



*Land Surveyors, Inc.*

8000 Anderson Square Road

Suite 110

Austin, Texas 78757

Office 512 374 9722

Fax 512 459 4732

#### METES AND BOUNDS DESCRIPTION

BEING 6.0081 ACRES OF LAND, SURVEYED BY BASELINE LAND SURVEYORS, INC., OUT OF THE JESSE WILLIAMS SURVEY NO. 62, IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME 6.1348 ACRE TRACT OF LAND CONVEYED TO KERRY S. YOM BY DEED OF RECORD IN VOLUME 12571, PAGE 2533 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND RERECORDED IN VOLUME 12587, PAGE 399 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT A 0.127 ACRE PORTION OF A 0.138 ACRE TRACT OF LAND CONVEYED TO THE STATE OF TEXAS BY INSTRUMENT OF RECORD IN DOCUMENT NO. 2001016942 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THEREIN KNOWN AS PARCEL NO. 28, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." in the west line of said 6.1348 acre tract, the north line of said 0.138 acre tract, and being the reputed right-of-way line of Hudson Loop, and the north right-of-way line of U.S. Hwy. 290 West (variable R.O.W.), from which a 1/2" iron rebar found for the southwest corner of the 6.1348 acre tract in the south line of the 0.138 acre tract bears, South 07°20'51" West, a distance of 41.53 feet, and from said point of beginning a Type II Concrete Monument found bears, North 38°01'14" West, along the north line of the 0.138 acre tract a distance of 14.36 feet,

**THENCE** along the west line of the 6.1348 acre tract and the reputed right-of-way line of Hudson Loop the following two courses:

- 1 North 07°20'51" East, a distance of 373.36 feet (record - North 07°46'25" East, a distance of 415.00 feet) to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." for an angle point in the west line of the 6.1348 acre tract and the reputed right-of-way line of Hudson Loop,
- 2 North 80°50'20" West, a distance of 10.00 feet (record - North 80°24'46" West, a distance of 10.00 feet) to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." for the southeast corner of a 1.89 acre tract of land conveyed to Carolyn Sue Jackson by deed of record in Volume 11071, Page 516 of the Real Property Records of Travis County, Texas, and being an angle point in the west line of the 6.1348 acre tract,

**THENCE** North 07°50'37" East (record - North 08°16'11" East), along the east line of said 1.89 acre tract and continuing with the west line of the 6.1348 acre tract a distance of 231.43 feet (record - 231.43 feet) to a 1/4" iron rebar found for the northwest corner of the 6.1348 acre tract, the northeast corner of the 1.89 acre tract, and being in the south line of a 119.814 acre tract of land conveyed to Buffalo Equities, Ltd. by deed of record in Volume 12750, Page 1039 of the Real Property Records of Travis County, Texas,

**THENCE** along the north line of the 6.1348 acre tract and the south line of said 119.814 acre tract the following three (3) courses:

- 1 South 60°44'06" East, a distance of 32.97 feet (record - South 60°24'02" East, a distance of 33.09 feet) to a 1/2" iron pipe found for an angle point in the north line of the 6.1348 acre tract and the south line of the 119.814 acre tract,
- 2 South 59°42'17" East, a distance of 159.59 feet (record - South 59°15'48" East, a distance of 159.62 feet) to a 1/2" iron rebar found for an angle point in the north line of the 6.1348 acre tract and the south line of the 119.814 acre tract,
- 3 South 59°40'40" East, a distance of 392.26 feet (record - South 59°13'46" East, a distance of 392.22 feet) to a 1/2" iron pipe found for the northeast corner of the 6.1348 acre tract, the northwest corner of Lot 1, Haskell Subdivision, Section Two, a subdivision of record in the Book 85, Page 28A of the Plat Records of Travis County, Texas, from which a 1/2" iron rebar found for the northeast corner of Lot 2, of said Haskell Subdivision, Section Two, and

the northwest corner of Haskel Subdivision, a subdivision of record in Book 74, Page 40 of the Plat Records of Travis County, Texas, bears South  $60^{\circ}25'02''$  East, a distance of 396.88 feet (record - South  $59^{\circ}55'00''$  East, a distance of 396.04 feet).

THENCE South  $06^{\circ}49'20''$  West (record - South  $07^{\circ}14'47''$  West), with the east line of the 6.1348 acre tract and the west line of said Lot 1, Haskel Subdivision, Section Two, a distance of 369.20 feet (record - 369.06 feet) to a  $1/2''$  iron rebar found for the southeast corner of the 6.1348 acre tract, the southwest corner of Lot 1, Haskel Subdivision, Section Two, and being on the north right-of-way line of U.S. Hwy. 290 West, from which a  $1/2''$  iron rebar found for the southeast corner of said Lot 2, Haskel Subdivision, Section Two, and the southwest corner of said Haskel Subdivision, bears South  $84^{\circ}04'10''$  East, a distance of 304.42 feet (record - South  $83^{\circ}28'00''$  East, a distance of 300.62 feet).

THENCE North  $83^{\circ}59'36''$  West (record - North  $83^{\circ}34'21''$  West), along the south line of the 6.1348 acre tract and the north right-of-way line of U.S. Hwy. 290 West a distance of 283.02 feet (record - 283.02 feet) to a Type II Concrete Monument found 175.00 feet left of and at right angles to Engineer's Centerline Station 298+17.94 for the northeast corner of the 0.138 acre tract of land, and being an angle point in the south line of the 6.1348 acre tract and the north right-of-way line of U.S. Hwy. 290 West,

THENCE with the north line of the 0.138 acre tract and continuing with the south line of the 6.1348 acre tract and the north right-of-way line of U.S. Hwy. 290 West the following three (3) courses:

- 1 North  $84^{\circ}08'04''$  West, a distance of 223.39 feet (record - North  $85^{\circ}42'33''$  West, a distance of 224.59 feet) to a Type II Concrete Monument found 175.00 feet left of and at right angle to Engineer's Centerline Station 295+93.36 for a point of curvature,
- 2 Along a tangential curve to the right, having a radius of 5554.58 feet (record - 5554.58 feet), a delta angle of  $00^{\circ}14'13''$  (record -  $00^{\circ}14'14''$ ) an arc length of 23.11 feet (record - 23.08 feet), and a chord which bears North  $83^{\circ}58'01''$  West, a distance of 23.11 feet (record - North  $85^{\circ}35'21''$  West, a distance of 23.08 feet) to a Type II Concrete Monument found for a point of tangency,
- 3 North  $38^{\circ}01'14''$  West, a distance of 6.62 feet to the POINT OF BEGINNING.

This parcel contains 6.0081 acres of land, more or less, out of the Jesse Williams Survey No. 62, in Travis County, Texas.

Description prepared from an on-the-ground survey made during January, 2003.

Bearing Basis: South line of a 119.814 acre tract of land conveyed to Buffalo Equities, Ltd. by deed of record in Volume 12750, Page 1039 of the Real Property Records of Travis County, Texas and being North  $84^{\circ}01'25''$  West.

J. Scott Laswell      Date  
Registered Professional Land Surveyor  
State of Texas No. 5583

Attachments: Survey Drawing - Baseline\Projects\Westpark\Drawings\Yom Title.dwg  
File: Baseline\Projects\Westpark\FNotes\Yom Title.doc

## **S-J at the Y, J.V.**

1. 21.067 Acre Tract – metes and bounds attached

**EXHIBIT  
"B"**

FIELD NOTES for  
917,698 SQUARE FEET OR 21.067 ACRES

917,698 SQUARE FEET OR 21.067 ACRES OF LAND OUT OF THE JESSE WILLIAMS SURVEY NO. 62, TRAVIS COUNTY, TEXAS AND BEING THE SAME TRACT AS DESCRIBED IN CONVEYANCE TO HI-PLAINS SAVING AND LOAN ASSOCIATION OF DEAF SMITH COUNTY, TEXAS IN VOLUME 10052, PAGE 276 OF THE TRAVIS COUNTY, TEXAS, DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING at a 1/2 inch iron pin found in the north R.O.W. line of U.S. Highway 290 West, a 140 foot right-of-way, at the Southeast corner of that certain (9.13 Acre) tract of land conveyed to Austin Community College by deed recorded in Volume 11339, Page 1766, Real Property Records of Travis County, Texas, same being at the Southwest corner of said Hi-Plains Saving and Loan Association tract, for the Southwest corner and PLACE OF BEGINNING hereof,

THENCE along the east line of said (9.13 Acre) tract, and the west line of said Hi-Plains tract, N 30 deg. 24' 24" E for a distance of 1390.09 feet to a 1/2" iron pin found at a west corner of that certain (8.54 Acre) tract of land conveyed to Richard W. Schmidt by deed recorded in Volume 10994 Page 286, Real Property Records of Travis County, Texas, same being at the Northwest corner of said Hi-Plains tract, for the Northwest corner hereof,

THENCE along the south line of the same Schmidt tract and the north line of the said Hi-Plains tract, the following two (2) courses

S 71 deg 03' 44" E a distance of 374.08 feet to a 1" pipe found;

S 71 deg. 02' 15" E a distance of 724.97 feet to a capped iron pin found at the most Northerly corner of that certain (0.363 Acre) tract of land conveyed to C. L. Boles by deed recorded in Volume 11000, Page 1576, Real Property Records of Travis County, Texas, for the most Easterly corner hereof,

THENCE along the north line of the said Boles tract, the following five (5) courses:

S 64 deg. 37' 18" W a distance of 79.19 feet to a 1/2" capped iron pin set w/ cap marked RDS4094;

S 60 deg. 23' 44" W a distance of 103.66 feet to a 1/2" capped iron pin set w/ cap marked RDS4094;

S 52 deg. 20' 15" W a distance of 71.76 feet to a 1/2" capped iron pin set w/ cap marked RDS4094,

S 49 deg. 36' 22" W a distance of 102.90 feet to a 1/2" capped iron pin set w/ cap marked RDS4094,

FIELD NOTES for  
917,698 SQUARE FEET OR 21.067 ACRE  
Page 2 of 2


S 41 deg. 34' 25" W a distance of 104.99 feet to a 1" pipe found in the north R.O.W. line of U.S. Highway 290, at the most Westerly corner of the said Boles tract, for an angle point hereof,

THENCE along the north R.O.W. line of U.S. Highway 290, S 56 deg. 55' 08" W a distance of 254.64 feet to a Concrete monument found at a point of curve to the right, for an angle point hereof,

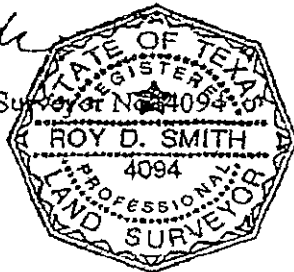
THENCE along said curve to the right, the radius of which is 2794.79 feet, the arc distance is 1250.02 feet, and the chord of which bears S 69 deg. 46' 03" W a distance of 1239.63 feet to the PLACE OF BEGINNING, containing 917,698 SQUARE FEET OR 21.067 ACRE of land.

SURVEYED: April 7, 1999

ROY D. SMITH SURVEYORS, P.C

  
ROY D. SMITH  
Reg. Professional Land Surveyor No. 4094  
1214 West 5th Street  
Austin, Texas 78703

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## **Oak Hill at the Y, J.V.**

1. 17.822 Acre Tract -- metes and bounds attached

**EXHIBIT  
"C"**

FIELD NOTES  
FOR

776,316 SQUARE FEET OR 17.822 ACRES

776,316 SQUARE FEET OR 17.822 ACRES OF LAND OUT OF THE JESSE WILLIAMS SURVEY NO. 62, IN TRAVIS COUNTY, TEXAS, INCLUDING ALL OF THE DORA SCHMIDT SUBDIVISION RECORDED IN VOLUME 48, PAGE 62 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THAT CERTAIN TRACT DESCRIBED AS (17.83 ACRES) IN TRUSTEES DEED TO RICHARD W. SCHMIDT, ROY C. SCHMIDT, WALTER S. SCHMIDT AND SCHMIDT CONSTRUCTION COMPANY, OF RECORD IN VOLUME 10994 PAGE 286 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron pin found in the south line of Lot 7, Block N, Scenic Brook West Section Two Phase Two, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 54 Page 97, Plat Records of Travis County, Texas, same being at the Northeast corner of Lot 4, Block N, Scenic Brook West Section Two, Phase Two, same being at the Northwest corner of Tract A, Dora Schmidt Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 48 Page 62, Plat Records of Travis County, Texas, for the Northwest corner and PLACE OF BEGINNING hereof;

THENCE along the south line of Lots 7, 8, and 9, respectively, of said Block N, and the north line of said Tract A, Dora Schmidt Subdivision, S 73 deg. 30' 46" E a distance of 374.39 feet to a 3/4 inch iron pin found at an angle point in the south line of Lot 2, Scenic Brook West Commercial 1-B, according to the map or plat thereof recorded in Volume 84 Page 162, for an angle point hereof;

THENCE along the south line of Scenic Brook West Commercial 1-B, and the north line of said Dora Schmidt Subdivision, S 69 deg. 49' 01" E a distance of 451.03 feet to a 1/2 inch capped iron pin set w/ cap marked RDS4094, at an angle point in the south line of Lot 8, Scenic Brook West Commercial 1-B, for an angle point hereof;

THENCE continuing along the south line of Scenic Brook West Commercial 1-B, and the north line of said Dora Schmidt Subdivision S 39 deg. 42' 36" E for a distance of 534.86 feet to



FIELD NOTES TO  
776,316 SQUARE FEET OR 17.822 ACRE  
Page 2 of 3

a capped iron pin found in the southwest line of Lot 1, Scenic Brook West Commercial 1-A, according to the map or plat thereof recorded in Volume 70 Page 360, Plat Records of Travis County, Texas, same being at the most Northerly corner of that certain (0.279 Acre) tract of land to be acquired by the State of Texas for R.O.W. purposes, for an angle point hereof;

THENCE continuing along the southwest line of Lot 1, Scenic Brook West Commercial 1-A, S 39 deg. 36' 35" E a distance of 27.08 feet to a 1" iron pipe found in the existing northwest R.O.W. line of U.S. Highway 290 West, at the most Easterly corner of said Dora Schmidt Subdivision for the most Easterly corner hereof;

THENCE with the existing northwest R.O.W. line of U.S. Hwy. 290 West, the following four (4) courses:

S 50 deg. 34' 24" W a distance of 54.24 feet to a concrete monument found;

S 56 deg. 11' 16" W a distance of 240.01 feet to a 1" iron pipe found;

S 66 deg. 26' 36" W a distance of 149.54 feet to a 1" iron pipe found;

S 64 deg. 16' 56" W a distance of 23.42 feet to a capped iron pin found at the Southeast corner of the said (17.83 Acre) tract, for the Southeast corner hereof;

THENCE leaving U.S. Highway 290, N 71 deg. 49' 03" W at a distance of 2.86 feet pass a capped iron pin found at the northwest corner of the proposed State of Texas (0.279 Acre) tract, same being in the northeast line of a tract described in conveyance to Hi-Plains Saving and Loan Association of record in Volume 10052 Page 276 of the Real Property Records of Travis County, Texas, and continuing along the same course a total distance of 725.30 feet to an iron pipe found;

THENCE continuing along the common dividing line of said (17.83 Acre) Schmidt tract, and said Hi-Plains Savings and Loan tract, N 71 deg. 49' 07" W a distance of 374.08 feet to a 1/2 inch iron in found in the east line of that certain (9.13 Acre) tract of land conveyed to Austin Community College by deed recorded in Volume 11339 Page 1766 of the Real Property Records of Travis County, Texas, same being at the most Northerly corner of the said Hi-Plains Savings and Loan tract, same being at the Southwest corner of the said (17.83 Acre) Schmidt tract, for the most Southerly Southwest corner hereof;

THENCE along the east line of said (9.13 Acre) tract, and a west

FIELD NOTES TO  
776,316 SQUARE FEET OR 17.822 ACRES  
Page 3 of 3

line of said (17.83 Acre) Schmidt tract, N 29 deg. 50' distance of 312.22 feet to a 5/8 inch iron pin found line of said Dora Schmidt Subdivision, at the Northeast corner of said (9.13 Acre) tract, for a corner hereof;

THENCE along the north line of said (9.13 Acre) tract, line of said Dora Schmidt Subdivision, N 71 deg. 42' distance of 81.10 feet to a 5/8 inch iron pin found at corner of Lot 1, Block N, Scenic Brook West Section Two same being at the Southwest corner of said Dora Schmidt for a corner hereof;

THENCE along the east line of Lots 1, 2, 3, and 4, respectively said Block N, and the west line of said Dora Schmidt Subdivision, S 37 deg. 26' 59" E a distance of 368.84 feet to the PLACE BEGINNING, containing 776,316 SQUARE FEET OR 17.822 ACRES

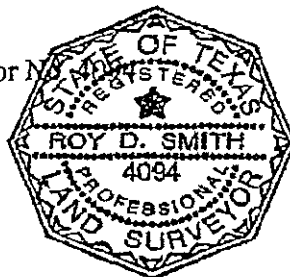
SURVEYED: February 21, 2000  
REVISED: April 7, 2000

ROY D. SMITH SURVEYORS, P.C.

*Roy D. Smith*  
ROY D. SMITH

Reg. Professional Land Surveyor No. 4094  
1214 West 5th Street  
Austin, Texas 78703

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**EXHIBIT  
"D"**

